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Attorneys for Duke Energy Ohio, Inc.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re) Chapter 11
LEHMAN BROTHERS HOLDINGS INC., et al.) Case No. 08-13555
Debtors.) Jointly Administered

NOTICE OF APPEARANCE AND REQUEST FOR NOTICE

TO: THE HONORABLE JAMES M. PECK, UNITED STATES BANKRUPTCY
JUDGE, THE ABOVE-CAPTIONED DEBTORS, THE OFFICE OF THE UNITED STATES
TRUSTEE, ALL SECURED AND UNSECURED CREDITORS AND THEIR COUNSEL OF
RECORD:

PLEASE TAKE NOTICE that pursuant to Section 1109(b) of Chapter 11 of the United States Bankruptcy Code, the undersigned, as counsel for Duke Energy Ohio, Inc. hereby appears in the above-captioned case, pursuant to Rules 2002, 3017, 4001, 9007, and 9010 of the Federal Rules of Bankruptcy Procedure.

Duke Energy Ohio, Inc. requests that all parties in interest and all counsel of record provide the following person with copies of all notices, pleadings, and other filings in the above-captioned case. All counsel of record are requested to direct all written or telephonic correspondence as follows:

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-and-

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Please take further notice that the foregoing request includes all notices and papers referred to in the Bankruptcy Rules and Local Bankruptcy Rules and additionally includes, without limitation, notices of any application, complaint, demand, hearing, motion, pleading or request, formal or informal, whether conveyed by mail, telephone or otherwise.

Duke Energy Ohio, Inc. additionally requests that the Debtors, the Clerk of the Court and any court-approved noticing agent place the undersigned counsel on any mailing matrix to be prepared or existing in the above-captioned cases.

Neither this Request for Notice nor any subsequent appearance, pleading, claim, proof of claim, document, suit, motion, nor any other writing or conduct, shall constitute a waiver of Duke Energy Ohio, Inc. to its:

1. Right to have any and all final orders in any and all non-core matters entered only after de novo review by a United States District Court Judge;
2. Right to trial by jury in any proceeding as to any and all matters so triable herein, whether or not the same be designated legal or private rights, or in any case, controversy or

proceeding related thereto, notwithstanding the designation *vel non* of such matters as "core proceedings" pursuant to 28 U.S.C. § 157(b)(2)(H), and whether such jury trial is pursuant to statute or the United States Constitution;

3. Right to have the reference of this matter withdrawn by the United States District Court in any matter or proceeding subject to mandatory or discretionary withdrawal; and
4. Other rights, claims, actions, defenses, setoffs, recoupments or other matters to which Duke Energy Ohio, Inc. is entitled under any agreements or at law or in equity or under the United States Constitution.

All of the above rights are expressly reserved and preserved unto this party without exception and with no purpose of confessing or conceding in any way by this filing or by any other participation in these matters.

FOR DUKE ENERGY OHIO, INC.

BY: /s/ Melissa Zelen Neier
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